

collected, and the sinking fund on hand shall be kept and shall be available for the information of all persons interested.

SEC. 3. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, May 26, 1928.

CHAP. 763.—An Act Authorizing T. S. Hassell, his heirs, legal representatives, and assigns, to construct, maintain, and operate a bridge across the Tennessee River at or near Clifton, Wayne County, Tennessee.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to promote interstate commerce, improve the postal service, and provide for military and other purposes, T. S. Hassell, his heirs, legal representatives, and assigns, be, and is hereby, authorized to construct, maintain, and operate a bridge and approaches thereto across the Tennessee River, at a point suitable to the interests of navigation, at or near Clifton, Wayne County, Tennessee, in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters," approved March 23, 1906, and subject to the conditions and limitations contained in this Act.

SEC. 2. After the completion of such bridge, as determined by the Secretary of War, either the State of Tennessee, any political subdivision thereof within or adjoining which any part of such bridge is located, or any two or more of them jointly, may at any time acquire and take over all right, title, and interest in such bridge and its approaches, and any interests in real property necessary therefor, by purchase or by condemnation or expropriation in accordance with the laws of such State governing the acquisition of private property for public purposes by condemnation or expropriation. If at any time after the expiration of twenty years after the completion of such bridge the same is acquired by condemnation or expropriation, the amount of damages or compensation to be allowed shall not include good will, going value, or prospective revenues or profits, but shall be limited to the sum of (1) the actual cost of constructing such bridge and its approaches, less a reasonable deduction for actual depreciation in value; (2) the actual cost of acquiring such interests in real property; (3) actual financing and promotion cost, not to exceed 10 per centum of the sum of the cost of constructing the bridge and its approaches and acquiring such interests in real property; and (4) actual expenditures for necessary improvements.

SEC. 3. If such bridge shall at any time be taken over or acquired by the State of Tennessee or any municipality or political subdivision or subdivisions thereof under the provisions of section 2 of this Act, and if tolls are thereafter charged for the use thereof, the rates of toll shall be so adjusted as to provide a fund sufficient to pay for the reasonable cost of maintaining, repairing, and operating the bridge and its approaches under economical management, and to provide a sinking fund sufficient to amortize the amount paid therefor, including reasonable interest and financing cost, as soon as possible under reasonable charges, but within a period of not to exceed twenty years from the date of acquiring same. After a sinking fund sufficient for such amortization shall have been so provided, such bridge shall thereafter be maintained and operated free of tolls, or the rates of tolls shall thereafter be so adjusted as to provide a fund of not to exceed the amount necessary for the proper maintenance, repair, and operation of the bridge and its

Amendment.

May 26, 1928.
[H. R. 13141.]
[Public, No. 527.]

Tennessee River.
T. S. Hassell may
bridge, at Clifton,
Tenn.

Construction.
Vol. 34, p. 84.

Acquisition authorized, after completion, by Tennessee, etc.

Condemnation proceedings.

Compensation if acquired by condemnation.

Limitations.

Tolls under State, etc., operation.

Rates applied to operation, sinking fund, etc.

Maintenance as free bridge, etc., after amortizing costs.

Record of expenditures and receipts.

Sworn statement of construction costs, etc., to be filed after completion.

Examination by Secretary of War.

Findings of Secretary conclusive.

Right to sell, etc., conferred.

Amendment.

approaches, under economical management. An accurate record of the amount paid for acquiring the bridge and its approaches, the expenditures for operating, repairing, and maintaining the same, and of daily tolls collected shall be kept and shall be available for the information of all persons interested.

SEC. 4. T. S. Hassell, his heirs, legal representatives, and assigns, shall within ninety days after the completion of such bridge file with the Secretary of War, and with the highway department of the State of Tennessee, a sworn itemized statement showing the actual original cost of constructing the bridge and its approaches, the actual cost of acquiring any interest in real property necessary therefor, and the actual financing and promotion costs. The Secretary of War may, and at the request of the highway department of the State of Tennessee shall, at any time within three years after the completion of such bridge, investigate such costs and determine the accuracy and the reasonableness of the costs alleged in the statement of costs so filed, and shall make a finding of the actual and reasonable costs of constructing, financing, and promoting such bridge; for the purpose of such investigation the said T. S. Hassell, his heirs, legal representatives, and assigns, shall make available all of his records in connection with the construction, financing, and promotion thereof. The findings of the Secretary of War as to the reasonable costs of the construction, financing, and promotion of the bridge shall be conclusive for the purposes mentioned in section 2 of this Act, subject only to review in a court of equity for fraud or gross mistake.

SEC. 5. The right to sell, assign, transfer, and mortgage all the rights, powers, and privileges conferred by this Act is hereby granted to T. S. Hassell, his heirs, legal representatives, and assigns, and any corporation to which or any person to whom such rights, powers, and privileges may be sold, assigned, or transferred, or who shall acquire the same by mortgage foreclosure or otherwise, is hereby authorized and empowered to exercise the same as fully as though conferred herein directly upon such corporation or person.

SEC. 6. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, May 26, 1928.

May 26, 1928.
[H. R. 12571.]
[Public, No. 528.]

CHAP. 764.—An Act Granting the consent of Congress to the State highway commission, Commonwealth of Kentucky, to construct, maintain, and operate a toll bridge across the Cumberland River at or near Iuka, Kentucky.

Cumberland River.
Kentucky may
bridge, at Iuka.

Construction.
Vol. 34, p. 84.
Post, p. 1523.

Rates of toll applied
to operation, sinking
fund, etc.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of Congress is hereby granted to the State highway commission, Commonwealth of Kentucky, to construct, maintain, and operate a bridge and approaches thereto across the Cumberland River, at a point suitable to the interests of navigation, at or near the town of Iuka, Kentucky, in accordance with the provisions of an Act entitled "An Act to regulate the construction of bridges over navigable waters," approved March 23, 1906, and subject to the conditions and limitations contained in this Act.

SEC. 2. If tolls are charged for the use of such bridge, the rates of toll shall be so adjusted as to provide a fund sufficient to pay the reasonable cost of maintaining, repairing, and operating the bridge and its approaches under economical management, and to provide a sinking fund sufficient to amortize the cost of the bridge and its approaches, including reasonable interest and financing cost, as soon